

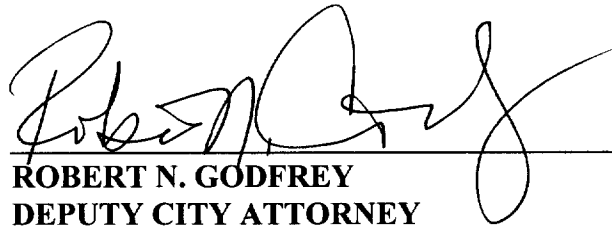
Entered - 09/04/01 - sb
CL01L0536 - DIANNE C. MITCHELL

CLAIM OF: **CHARLES BEAUMONT,**
through his attorney,
Darrell T. Carver
Suite 400
100 Peachtree Street, NW
Atlanta, Georgia 30303

02- *R* -0926

For damages alleged to have been sustained as a result of personal injuries during an arrest on June 10, 2001 at 2329 Cheshire Bridge Road, NE.

THIS ADVERSED REPORT IS APPROVED

BY: 
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

CONSENT AGENDA

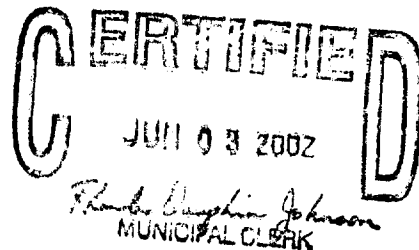
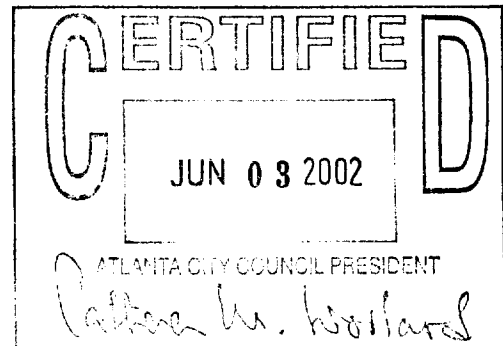
ADVERSE REPORT

COMM: *Public Safety*

DATE: *5/28/02*

CHAIR: *[Signature]*

[Signature]
[Signature]
[Signature]
[Signature]
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[Signature]





OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

June 7, 2002

Darrell T. Carver
Attorney at Law
100 Peachtree St., NW
Suite 400
Atlanta, Georgia 30303

02-R-0925

RE: Charles Beaumont

Dear Attorney Carver:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on June 3, 2002. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0536

Date: May 15, 2002

Claimant /Victim CHARLES BEAUMONT
BY: (Atty) Darrell T. Carver
Address: Suite 400, 100 Peachtree Street, NW, Atlanta, Georgia 30303
Subrogation: Claim for Property damage \$ Bodily Injury \$ Not Stated
Date of Notice: 08/24/01 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 06/10/01 Place: 2329 Cheshire Bridge Road, NE
Department Police Division:
Employee involved Officers P. Powell, C. Walls and C. White Disciplinary Action: Not Sustained

NATURE OF CLAIM: The claimant alleges that he was injured and illegally incarcerated by Atlanta police officers. An internal investigation conducted by the Office of Professional Standards determined that there was insufficient evidence to prove or disprove the claimant's allegations. Furthermore, pursuant to O.C.G.A. §36-33-3, the City is immune from liability for the tort actions of its police officers engaged in the duties imposed on them by law.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report X Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

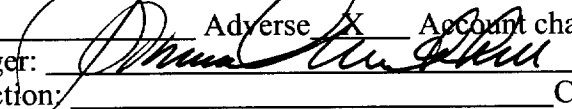
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other X Damages reasonable
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01 2P01
Claims Manager:  Concur/date 05-15-02
Committee Action: Council Action

RCS# 3776
6/03/02
2:19 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs. 1-14; Except 02-R-0974; 02-O-0952

ADOPT

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
B Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

ITEM (S) REMOVED FROM
CONSENT AGENDA
02-O-0952

		06/03/02 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 02-O-0726	34. 02-R-0892	57. 02-R-0924
2. 02-O-0723	35. 02-R-0895	58. 02-R-0925
3. 02-O-0694	36. 02-R-0896	59. 02-R-0926
4. 02-O-0854	37. 02-R-0897	60. 02-R-0927
5. 02-O-0709	38. 02-R-0898	61. 02-R-0928
6. 02-O-0710	39. 02-R-0903	62. 02-R-0929
7. 02-O-0711	40. 02-R-0950	63. 02-R-0930
8. 02-O-0712	41. 02-R-0968	64. 02-R-0931
9. 02-O-0713	42. 02-R-0975	65. 02-R-0932
10. 02-O-0714	43. 02-R-0910	66. 02-R-0933
11. 02-O-0715	44. 02-R-0911	67. 02-R-0934
12. 02-O-0716	45. 02-R-0912	68. 02-R-0935
13. 02-O-0717	46. 02-R-0913	69. 02-R-0936
14. 02-O-0953	47. 02-R-0914	70. 02-R-0937
15. 02-O-0719	48. 02-R-0915	71. 02-R-0938
16. 02-O-0720	49. 02-R-0916	72. 02-R-0939
17. 02-O-0722	50. 02-R-0917	73. 02-R-0940
18. 02-O-0959	51. 02-R-0918	74. 02-R-0941
19. 02-O-0962	52. 02-R-0919	75. 02-R-0942
20. 02-O-0966	53. 02-R-0920	76. 02-R-0943
21. 02-O-0967	54. 02-R-0921	77. 02-R-0944
22. 02-O-0730	55. 02-R-0922	78. 02-R-0945
23. 02-O-0958	56. 02-R-0923	79. 02-R-0946
24. 02-O-0961		80. 02-R-0947
25. 02-R-0894		
26. 02-R-0948		
27. 02-R-0949		
28. 02-R-0905		
29. 02-R-0906		
30. 02-R-0904		
31. 02-R-0954		
32. 02-R-0974		
33. 02-R-0801		